



City Council Regular Session

October 1, 2013

2011 STRATEGIC INITIATIVES

Huntsville residents enjoy a safe, healthy, affordable and historic community.

Huntsville is an economically diverse and developing community.

Huntsville residents enjoy and benefit from an attractive city with beautiful parks and lifelong educational and cultural opportunities.

Huntsville is a well-managed, sustainable community that values its natural resources and provides exceptional public services.

Huntsville is a friendly place where a warm welcome awaits both visitors and new residents.

City Council Meeting – October 1, 2013

MAIN SESSION [5:00pm]

1. CALL TO ORDER

2. INVOCATION AND PLEDGES

U.S. Flag

Texas Flag: Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. PRESENTATIONS AND PROCLAMATIONS

a. Proclamation 2014-07 for Fire Prevention Week

b. Presentation on National Night Out [Kevin Lunsford, Director of Public Safety]

4. PUBLIC HEARING

a. The City Council will receive public input on Ordinance 2013-46, to amend the City of Huntsville Development Code, adding a new chapter, Chapter 17, Historic Preservation. [Aron Kulhavy, Director of Community and Economic Development]

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5. PUBLIC COMMENT

- a. Related to any City business not on the agenda – 2 minutes per speaker**
- b. Related to any matter on the agenda – 5 minutes per speaker**

6. CONSENT AGENDA

(Approval of Consent Agenda authorizes the City Manager to implement each item in accordance with staff recommendations. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion by request of a member of Council.)

- a. Approve the minutes of the City Council Regular Session held on September 17, 2013. [Lee Woodward, City Secretary]**
- b. Adopt Ordinance 2013-45 to amend the Capital Improvement Projects budget. [Steve Ritter, Interim Finance Director]**
- c. Accept the award from the Department of Justice Bullet Proof Vest Program for \$2,337.54. [Sherry McKibben, Neighborhood Resources Director]**

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7. STATUTORY AGENDA

a. Presentation, discussion, and possible action related to purchase of hardware and services for upgrades to the City's network infrastructure including warranty extensions on existing equipment. [Chris Vasquez, IT Director]

b. Presentation, discussion and possible action on annual purchase of PCs and servers which are due for replacement as per the FY13/14 computer replacement schedule. [Chris Vasquez, IT Director]

c. Presentation, discussion and possible action to approve an Inter-Local Agreement with Walker County, Texas for the cost participation in East Mosley Lane Reconstruction Project. [Aron Kulhavy, Director of Community and Economic Development]

d. Presentation, discussion, and possible action to adopt Ordinance 2013-46, to amend the City of Huntsville Development Code, adding a new chapter, Chapter 17, Historic Preservation, first reading. [Aron Kulhavy, Director of Community and Economic Development]

Establishing a Historic Preservation Ordinance

Submitted by:

The City of Huntsville

Community & Economic Development Department

Purpose

To protect and enhance the landmarks and districts which represent distinctive elements of Huntsville's historic, architectural, and cultural heritage;

Foster civic pride in the accomplishments of the past;

Protect and enhance Huntsville's attractiveness to visitors and the support and stimulus to the economy thereby provided;

Purpose

Ensure the manageable, orderly, and efficient growth and development of the city;

Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the city;

Encourage stabilization, restoration, and improvements of such properties and their values.

A Historic Preservation Ordinance

Protects the authenticity of local character...which is one of the best selling points of a city in terms of tourism, development, sustainability, and quality of life. The local Wal-Mart, strip malls, or commercial development out on does not make a place unique.

A Preservation Ordinance DOES

- Provide policy and process for the protection of historic properties.
- Allow public participation – establishing a district, project proposals, etc.
- Allows method of appeal and variances if all reasonable or beneficial use of the property can be demonstrated
- Establish process for designating historic properties
- Protect the integrity of designated historic properties within a design review requirement
- Ensure new development within historic districts to are not destructive to the area's historic character
- Protect and enhance property values

A Preservation Ordinance DOES NOT

- ◉ Require that historic properties be open for tours
- ◉ Restrict the sale of the property or lowers property value
- ◉ Require improvements, alterations, or restoration of the property beyond regular or routine maintenance
- ◉ Require approval of interior changes or alterations
- ◉ Prevent new construction or development within historic areas
- ◉ Require approval for ordinary maintenance and/or in-kind repair

Establishing a Preservation Commission

A Historic Preservation Commission shall consist of five (5) members to be appointed by the mayor and shall have a known and demonstrated interest, competence, or knowledge in historic preservation within the City of Huntsville.

Commission recommendations shall be guided by the criteria established in Design Guidelines and National Historic Preservation Criteria

Historic Preservation Officer

The City Manager can appoint a qualified city official or staff person, of the municipal entity to serve as historic preservation officer. This officer shall administer this ordinance and advise the Commission on matters submitted to it. The officer is responsible for coordinating the city's preservation activities with those of state and federal agencies and other preservation organizations.

Benefits of a Preservation Ordinance

Historic preservation provides an economic revitalization tool in older neighborhoods that have deteriorated due to the growth of suburbs, neglect, or alterations to architectural heritage. Historic preservation makes use of existing housing and commercial building stock and helps sustain the identity of the community.

Preservation in Texas has increased property values, encouraged tourism, and created new jobs and new businesses.

Adopting a local preservation ordinance is one of the best ways a community can protect the historic character of its buildings, neighborhoods and landmarks from inappropriate alterations, incompatible new construction, even outright demolition.

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7. STATUTORY AGENDA

e. Presentation, discussion, and possible action to adopt Ordinance 2013-47, suspending the rate increase proposed by Entergy Texas, Inc., first reading. [Leonard Schneider, City Attorney]

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8. MAYOR/CITY COUNCIL AND CITY MANAGER REPORT

- a. Presentation, discussion, and possible action to nominate Scotty Cherryholmes to the Hotel Occupancy Tax Board and Paul Olle to the Huntsville Arts Commission. [Mayor Woodward]**
- b. City Manager's Report**
 - 1. Updates on City construction, grants, studies, City projects, City purchases, and economic development.**

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9. PUBLIC COMMENT

a. Related to any City business – 2 minutes per speaker

10. MEDIA INQUIRIES RELATED TO MATTERS ON THE AGENDA

11. ITEMS OF COMMUNITY INTEREST

(Hear announcements concerning items of community interest from the Mayor, Councilmembers, and City staff for which no action will be discussed or taken.)

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12. EXECUTIVE SESSION

a. City Council will convene in closed session as authorized by Texas Government Code, Section 551.071– to receive legal advice on the administrative appeal by former Officer Chris Myers v Huntsville Police Department filed with the State Office of Administrative Hearing on his separation of license report from the City. [Leonard Schneider, City Attorney]

13. RECONVENE

Take action, if necessary, on items discussed in Executive Session.

14. ADJOURNMENT

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**The City Council is
currently in
Executive Session and
will reconvene before
adjourning.**

**The City Council
is in recess.**